
L.N. 10 of 2016

**Electoral Affairs Commission (Registration of Electors)
(Legislative Council Geographical Constituencies)
(District Council Constituencies) (Amendment)
Regulation 2016**

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**Electoral Affairs Commission (Registration of Electors)
(Legislative Council Geographical Constituencies)
(District Council Constituencies) (Amendment)
Regulation 2016**

(Made by the Electoral Affairs Commission under section 7 of the
Electoral Affairs Commission Ordinance (Cap. 541))

1. Commencement

This Regulation comes into operation on 18 March 2016.

**2. Electoral Affairs Commission (Registration of Electors)
(Legislative Council Geographical Constituencies) (District
Council Constituencies) Regulation amended**

The Electoral Affairs Commission (Registration of Electors)
(Legislative Council Geographical Constituencies) (District
Council Constituencies) Regulation (Cap. 541 sub. leg. A) is
amended as set out in sections 3 to 13.

**3. Section 2A amended (effect of inclement weather warning on
date and period)**

(1) Section 2A(4), Table 1—

Repeal

“17(9)(a)(i)”

Substitute

“11(5)(b)(ii)(A)”.

(2) Section 2A(4), Table 1—

Repeal

“17(9)(a)(ii)”

Substitute

“11(5)(b)(i) and (ii)(B)”.

- (3) Section 2A(4), Table 1—

Repeal

“section 13(3)(a) sections 11(5)(b)(ii)(A) and
17(9)(b)(i)”.

- (4) Section 2A(4), Table 1—

Repeal

“section 13(3)(b) sections 11(5)(b)(i) and (ii)(B) and
17(9)(b)(ii)”.

4. Section 5 amended (Electoral Registration Officer to determine whether or not applicant is eligible for registration and may ask for additional information)

- (1) Section 5(9)—

Repeal

“registered post”

Substitute

“post”.

- (2) Section 5(10)—

Repeal

“registered”.

5. Section 7 amended (Electoral Registration Officer may make inquiries regarding persons registered in the existing final register)

Section 7(2)—

Repeal

“registered”.

6. Section 8 amended (Electoral Registration Officer to determine whether persons registered in the existing final register are registered in the appropriate section and subsection)

Section 8(3)—

Repeal

“, by registered post”

Substitute

“by post”.

7. Section 9 amended (Electoral Registration Officer to prepare an omissions list)

(1) Section 9(4)(a)—

Repeal

everything after “has informed” and before “and other personal particulars”

Substitute

“the person in writing by post (sent to the address recorded against the person’s name in the existing final register and any other address that Officer considers

appropriate) that the Electoral Registration Officer proposes to omit the person's name".

- (2) Section 9(4A)—

Repeal

“registered”.

8. Section 11 amended (Electoral Registration Officer to correct entries in existing final register in compiling next provisional register)

- (1) Section 11, heading—

Repeal

“next”.

- (2) Section 11(2)—

Repeal

“next provisional register”

Substitute

“first provisional register after that period”.

- (3) Section 11(3)—

Repeal

“next provisional register”

Substitute

“first provisional register after that period”.

- (4) Section 11(4)—

Repeal

“registered”.

- (5) Section 11(5)—

Repeal paragraph (a)

Substitute

“(a) the provisional register for 2016, after 25 August 2015 but not later than 2 May 2016; or”.

- (6) Section 11(5)(b)(i)—

Repeal

“25 June”

Substitute

“2 May”.

- (7) Section 11(5)(b)(ii)(A)—

Repeal

“25 August”

Substitute

“2 July”.

- (8) Section 11(5)(b)(ii)(B)—

Repeal

“25 June”

Substitute

“2 May”.

(9) After section 11(5)—

Add

“(6) The Electoral Registration Officer may, before acting under subsection (2), require in writing the person who makes the request under subsection (1) to furnish in writing either or both of the following within the specified period—

- (a) further particulars relating to the request as specified by the Electoral Registration Officer;
- (b) proof that the entry is incorrect.

(7) In this section—

specified period (指明期間), in relation to a requirement made under subsection (6), means—

- (a) if the first 11 July that follows the making of the requirement falls in a District Council election year—a period specified by the Electoral Registration Officer ending not later than that 11 July; or
- (b) in any other case—a period specified by the Electoral Registration Officer ending not later than the first 11 May that follows the making of the requirement.”.

9. Section 17 repealed (Electoral Registration Officer to correct entries in a provisional register in compiling final register)

Section 17—

Repeal the section.

10. Section 18 amended (Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer)

Section 18(2)(b)—

Repeal

“registered”.

11. Section 19 amended (what is to be contained in final register)

Section 19(1)(a)—

Repeal

“17 or”.

12. Section 22 amended (offences and penalties)

Section 22(1)(e)—

Repeal

“or 17”.

13. Section 24 amended (communications by registered post)

(1) Section 24, heading—

Repeal

“registered”.

(2) Section 24—

Repeal

“registered”.

Made this 18th day of January 2016.

The Hon. Mr. Justice
Barnabas Wah FUNG
Chairman,
Electoral Affairs Commission

Arthur LUK Yee-shun
Member,
Electoral Affairs Commission

Fanny M. C. CHEUNG
Member,
Electoral Affairs Commission

Explanatory Note

This Regulation amends the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A) (*principal Regulation*).

2. This Regulation repeals section 17 of the principal Regulation which allows the Electoral Registration Officer (*ERO*), when compiling a final register of electors for geographical constituencies, to alter the particulars recorded or to be recorded in the relevant provisional register on receiving a request or obtaining information.
3. Section 11 of the principal Regulation is amended correspondingly so that requests for alteration of particulars received after the deadline for applying for registration in the provisional register compiled for a year will only be considered by the ERO for the purpose of compiling the provisional register for the next year.
4. This Regulation also amends various provisions in the principal Regulation to replace the requirement to send communication by registered post by the requirement to send it by post.